

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMANIE RILEY, on behalf of herself and all
others similarly situated,

Plaintiff,

-against-

LOVEPOP, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/25/2025

25-CV-00189 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

This action was initiated on January 9, 2025. *See* Dkt. No. 1. On January 14, 2025, the Court issued an Order directing the parties to meet and confer on various matters within 30 days of service of the summons and complaint, and to submit a joint status letter 15 days after that, addressing several specified topics. *See* Dkt. No. 5. The Order also stayed Defendant's time to answer or otherwise respond to the Complaint until further order of the Court. *Id.* Notwithstanding the January 14 Order, on May 5, 2025, Plaintiff filed a status letter stating that Defendant has not appeared and that it intends to move for default judgment. *See* Dkt. No. 8. By June 23, 2025, Defendant still had not appeared, and Plaintiff requested and was issued a Clerk's Certificate of Default. *See* Dkt Nos. 9-11. The Certificate should not have been issued because Defendant is not in default, per the Court's January 14 Order. However, because Defendant has not appeared or otherwise responded to the Complaint, the stay of Defendant's time to respond to the Complaint is LIFTED and Defendant is directed to answer, move against, or otherwise respond to the Complaint by **July 18, 2025**.

If Defendant does not respond to the Complaint or appear by **July 18, 2025**, then by **July 25, 2025**, Plaintiff must seek a new certificate of default and file a motion for default judgment in accordance with the Court's Individual Rules & Practices. If Plaintiff's counsel submits calculations in support of any motion for default judgment, Plaintiff's counsel shall also email native versions of the files with the calculations (*i.e.*, versions of the files in their original format, such as in ".xlsx") to Chambers at GarnettNYSDChambers@nysd.uscourts.gov. In the event Plaintiff files a motion for default judgment, Plaintiff shall serve the motion papers on Defendants by **July 21, 2025**, and shall file proof of such service by **July 23, 2025**.

It is further ORDERED that Defendants shall file any opposition to any motion for default judgment by **August 15, 2025**.

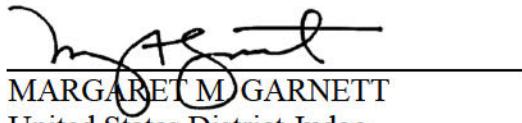
If this case has been settled or otherwise terminated, Plaintiff is not required to move for default, provided that a stipulation of discontinuance, voluntary dismissal or other proof of termination is filed on the docket prior to the date of the conference, using the appropriate ECF Filing Event. *See* SDNY ECF Rules & Instructions §§ 13.17-13.19 & App'x A, available at <https://www.nysd.uscourts.gov/electronic-case-filing>.

Plaintiff shall serve a copy of this Order on Defendants by first-class mail and/or by in-person service **within two business days from the date of this Order**, and shall file proof of such service **within three business days of the date of this Order**.

The Clerk of Court is respectfully directed to VACATE the Certificate of Default issued on June 23, 2025.

Dated: June 25, 2025
New York, New York

SO ORDERED.



MARGARET M GARNETT
United States District Judge